

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO
2009 JUN -8 PM 1:27
CLERK-LAS CRUCES

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U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO
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ADRIAN W. DALTON, JOE GORMAN, QUENTIN
HARRIS, OCTAVIO SAHAGUN, CHRISTOPHER
SENA, AND PETE VELARDE, AND SIMILARLY
SITUATED CITY EMPLOYEES DENIED OWED
OVERTIME WAGES,

Plaintiffs,

v.

CV 07-1217 RB/WPL

CITY OF SANTA FE, NEW MEXICO,

Defendant.

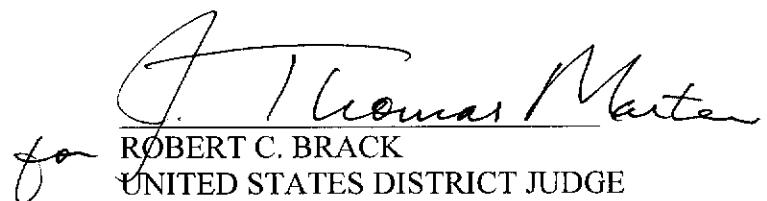
**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**

The parties reached a negotiated resolution of this matter, and Plaintiffs filed a Motion to Approve Settlement and Distribution of Settlement Proceeds. (Doc. 20.) The Court referred the matter to a magistrate judge to conduct a hearing and to perform any legal analysis required to make a recommendation regarding the negotiated settlement. (Doc. 24.)

The magistrate judge entered his Proposed Findings and Recommended Disposition (PFRD) on May 14, 2009. (Doc. 26.) After considering the pleadings, the presentations at the hearing, the motion and supporting exhibits, and the applicable law, he concluded that the settlement agreement is fair. He therefore recommended that the Court enter an order approving the settlement and the distribution of settlement proceeds as described in the motion. The PFRD advised the parties that objections were due within ten days of service of the PFRD and that if no objections were filed, no appellate review would be allowed. To this date, no objections have been filed.

IT IS THEREFORE ORDERED that the PFRD is adopted as an order of the Court and the Motion to Approve Settlement and Distribution of Settlement Proceeds is granted for the reasons stated in the PFRD.

The motion states that after the settlement proceeds have been distributed, the parties intend to execute a stipulated order dismissing the complaint with prejudice. IT IS THEREFORE ORDERED that the parties must submit the stipulated order to the Court no later than **July 2, 2009**.


for Robert C. Brack
UNITED STATES DISTRICT JUDGE